

NHDOE Dispute Resolution

Presentation for State Advisory Committee
December 4, 2013

Complaints

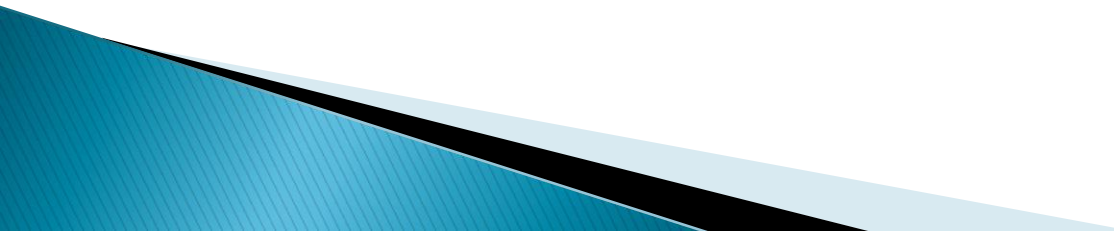
	FY 11 (7/1/10-6/30/11)	FY12 (7/1/11-6/30/12)	FY 13 (7/1/12-6/30-13)
Total number of written, signed complaints filed	65	66	39
Complaints filed by parents	62	62	36
Complaints filed by other	3*	4**	3***
Complaints that did not meet standards	24	30	22
Complaints withdrawn	2	4	6
Complaints with reports issued	38	32	12
Complaints with reports issued within timelines	38	31	12
Complaints with reports with findings of noncompliance	23	17	7
Complaints reconsidered	8	7	1
Complaints reconsidered with reversed decision	3	3	0

*1-Advocate
*2-Grandparent

**1-Advocate
**1-Grandparent
**1-Sister/legal guardian
**1-School Psychologist

***1-Advocate
***2-Grandparent

Types of Issues for Complaints

- ▶ For FY'12 issues for complaints centered around
 - The IEP and provision of services as outlined in the IEP
 - Procedural issues regarding the IEP team composition (appropriate representation of required IEP team members, excusal of IEP team members)
 - Procedural issues regarding the IEP process (WPN, excusal of IEP team members within timeframe, 10 day notice of meeting)
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Due Process and ADR Complaints

Issue / Question	Due Process	Alternative Dispute Resolution (ADR) Options		
		Mediation	Neutral Conf.	Other ADR Options
	44 requested	19 requested	0	0
Number filed by school districts	8	3	0	0
Number filed by parents	16	5	0	0
Number filed by other (specify)	0	4 (not tracked)		
Number failing to meet sufficiency standards	2	N/A	N/A	N/A
Number "screened out" for other reasons	N/A	N/A	N/A	N/A
Number withdrawn	12	3		
Number held (or complaints investigated)	*16	**15		
Number of substantiated	N/A	N/A	N/A	N/A
Which party prevailed 6 total decisions and summary judgments	P=2 D=4	N/A	N/A	N/A
Number of decisions appealed	No info			
Number of complaints overturned/ reversed				
Timeliness	Yes	yes		
Follow-up / enforcement of corrective plans				
DOE staff involved at each level of process	yes	yes		
Was an attorney involved (and for whom) -6 cases (2) Mediation within Due Process--10 cases	P=1 SD=6 P=5 SD=10	N/A	N/A	N/A
Participants' feedback (including satisfaction)	No info	recorded in	data base	
In how many cases was the issue indicative of a larger or systemic issue	N/A	N/A	N/A	N/A

*-Mediated within due process

**-3 unsuccessful mediations

Types of Issues Raised in Due Process and Mediation

- ▶ Total number of cases requested=63
- ▶ IEP
 - 21 Cases
- ▶ Placement
 - 15 Cases
- ▶ Evaluation
 - 9 Cases
- ▶ Extended School Year
 - 5 Cases
- ▶ Unspecified
 - 13